Assignment of lands on either side of Romperu drain in Bapatla.

* 1145 Q.—

MR. SPEAKER :—" The hon. Member Sri Pragada Kotaiah is not in his place. The question and answer will be printed in the proceedings."

SRI PRAGADA KOTAIAH : Will the Hon. the Minister for Land Revenue be pleased to state the instructions given by the Government to the Romperu Special Deputy Collector, Chirala, recently appointed in respect of the assignment of the assessed waste lands lying on either side of the Romperu drain in Bapatla taluk?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The Special Deputy Collector is now engaged in gathering statistics which would facilitate the assignment of the land as soon as the Government pass orders on the report of the Committee."

Alleged torture by the police of the son of B. Neelayya of Ravikampadu, Chintalapudi taluk.

8-50 a.m. * 1146 Q.—SRI M. KUNE RAO : Will the Hon. the Chief Minister be pleased to state—

(*a*) whether the Government have received any petition from Sri Boppanna Neelayya of the village of Ravikampadu, Chintalapudi taluk, West Godavari district, on 12th November 1952, complaining about the sudden death of his son due to torture by the police in Tadikalapudy Police station in the same district on 9th November 1952; and

(*b*) if so, the action taken thereon?

THE HON. SRI C. RAJAGOPALACHARI :—" (*a*) & (*b*) No petition from Boppanna Neelayya was received by Government but they received official intimation that one Sri Boppanna Ramulu, son of Boppanna Neelayya referred to committed suicide by drowning himself in a well while under police custody in connection with a theft case along with five others. At the instance of the Police officers the Subdivisional First-class Magistrate of Eluru went to the spot at once and held the inquest. The post-mortem revealed that there were no external injuries on the body of the deceased. The verdict was that the deceased committed suicide out of fear of being subjected to police investigation and torture in connexion with the theft case. The medical evidence showed that there were no injuries, internal and external in the body of the deceased and that death was due to asphyxia due to drowning. The Subdivisional Magistrate, Eluru, who was present at the inquest and enquired into the case fully has expressed his opinion clearly that it is a case of suicide."

28th July 1953]

SRI M. KUNE RAO :—" అయ్యా, బొప్పనరాయులు అనే అతనిని అరుస్టు చేసి పోలీసు స్టేషనులో పెట్టినప్పుడు, ఆయన పోలీసు కస్టడీలోనుంచి ఏవిధంగా తప్పించుకునిపోయి నూతిలోబడి ప్రాణాలు తీసుకున్నాడో, ముఖ్యమంత్రిగారు తెలవిస్తారా ? "

THE HON. SRI C. RAJAGOPALACHARI :—" I think I have placed the entire report on the table of the House."

SRI C. PULLA REDDI :—" The hon. Member wants to know how it was possible for the man concerned who had been in police custody to escape and conveniently fall into the well"

THE HON. SRI C. RAJAGOPALACHARI :—" There is no convenience about it. In this case about 6 persons were taken to the police station suspected of theft. The enquiry showed that there was a certain amount of rough handling by the head constable—beating and threatening—and the other persons stood it all right as generally they do. The youngster could not probably stand it and got frightened. They were not put in a lock-up. As a matter of fact, they were only interrogated. The youngster went to the well and there is evidence to show that he was seen standing on the parapet wall and that after he fell into it a rope was let down and that he would not hold it and he thus put an end to himself. Youngsters do get excited and frightened and do things like this. However, it is very unfortunate. I may mention for the information of the hon. Members that the head constable has been dismissed."

SRI M. KALYANASUNDARAM :—" Sir, no report has been placed on the table of the House as stated by the Hon. Chief Minister."

THE HON. SRI C. RAJAGOPALACHARI :—" I have copies of the report. If the hon. Members desire, I shall place them on the table of the House."

SRI M. KALYANASUNDARAM :—" From the report read by the Hon. Chief Minister, the whole thing looks improbable."

THE HON. SRI C. RAJAGOPALACHARI :—" I don't suppose we are sitting as judges here. I don't believe in very large courts of justice."

SRI M. KALYANASUNDARAM :—" I agree that we cannot become an enquiry committee. Even in the report it is admitted that there has been some torture. My inference is that he must have been tortured to death and then the police must have thrown him into the well. Will the Government appoint an Enquiry Committee to enquire into the conduct of the police? "

THE HON. SRI C. RAJAGOPALACHARI :—" My inference is that the police head constable could not be so foolish. It does not happen like that, i.e., a policeman committing a

murder and putting the body near about the station itself so that it could be handled by the Opposition parties in the Legislature.''

SRI M. KALYANASUNDARAM :—'' In order to prepare a good story! ''

SRI T. NAGI REDDI.—'' I am glad that at least once, the Government have accepted that there has been torture by the police. Within these one and half years, we have had at least 12 such cases of death at the hands of the police. That being so, will the Government take care to see that such officers who are responsible for these are not excused, but are brought to book by holding a proper judicial or non-official enquiry into those incidents and by awarding severe punishments to the guilty? ''

THE HON. SRI C. RAJAGOPALACHARI :—'' We cannot appoint a Committee of Enquiry for each incident or offence after a lapse of time. What is really useful to society at large is an immediate enquiry by a judicial officer and that has been done in this case. A non-official enquiry will not get us anything more except parties operating in the place. Here in this case, we have had an immediate magisterial enquiry by a magistrate when the body was there, when the doctor was before him, the whole village was before him and everything was before him. The enquiry has produced results, and he has given his verdict. The Opposition Members were kind enough to recognise that at least in one case the Government have not done wrong. The emphasis is rather the other way about on the other side. If anything goes wrong occasionally, we don't shirk exposing it.''

SRI T. VISWANATHAM :—'' Sir, will the Hon. Chief Minister enlighten us, at what place this belabouring of people took place, was it done in the police compound or in a public place, where was the well situated and what was the distance between the police station compound and the well into which this supposed dead body or living body was thrown? ''

THE HON. SRI C. RAJAGOPALACHARI :—'' The whole thing is misconceived. As a matter of fact, hon. Members have experience of life to know that intelligent Government servants who wish to commit such offences commit it in a different way and not in this clumsy way. Let them compare these two cases, the probability of an youngster doing away with himself under those circumstances and the probability of a head constable for no reason whatsoever killing somebody who was an accused and then putting the body in a well nearby. As I said, we cannot sit in judgment upon the result of the enquiry on the spot by a responsible officer. His report will be placed on the table of the House. The hon. Members may accept it or may not accept it. But we can do nothing else. The Government are satisfied that the head

constable irregularly took charge of those people and did not record the arrest and did not do his job properly. So he has been dismissed."

SRI T. NAGI REDDI :—" Mr. Viswanatham's question was not answered."

THE HON. SRI C. RAJAGOPALACHARI :—" The report will be placed on the table of the House and it will show details."

SRI V. R. KRISHNA AYYAR :—" May I know whether the question of prosecuting the head constable who rough-handled the person was considered by the Government? Secondly, will the Government take action against the other officers who were responsible for the escape of the boy from police custody for negligence or misconduct and award suitable punishment to them? "

THE HON. SRI C. RAJAGOPALACHARI :—" The evidence was vague. The net result was that we could only find from the judicial report the irregularity that I referred to in taking charge of people without recording the arrest. But as for belabouring and other things, the evidence was variant, discrepant and the like and we cannot expect any prosecution to succeed. We did not want a person who was clearly guilty of misconduct, to get away with an acquittal from a Magistrate and later on coming forward with a claim, even perhaps at the instance of Opposition Members, for restoration to service. In this case, the head constable was dismissed after a departmental enquiry."

SRI K. KRISHNA RAO :—" The Hon. Chief Minister himself has admitted that it is a fact . . ."

THE HON. SRI C. RAJAGOPALACHARI :—" I do not think I should be said to have *admitted* anything. I did not kill the boy." (Laughter.)

SRI K. KRISHNA RAO :—" From the report read by the Hon. Chief Minister it is evident that those persons and the boy were arrested and the fact of the arrest was not entered in the books . . ."

THE HON. SRI C. RAJAGOPALACHARI :—" Hon. Members have some experience of thefts. (Laughter.) It is very difficult . . ."

SRI M. KALYANASUNDARAM :—" Sir, I do not know the implications of this statement of the Hon. Chief Minister."

THE HON. SRI C. RAJAGOPALACHARI :—" You will understand it if only you wait to hear me. If, however, you wish to enjoy the joke, I do not object. Hon. Members have experience of these cases. They have themselves lost things and they have complained to the police and they themselves have on many occasions said, ' Why don't the police take

[28th July 1953

immediate action and find out the culprit and restore our properties? ' It is very difficult to investigate such cases and detect culprits. They have first to start on suspicion. The police interrogate the suspected people so that they may know something more about the case. If they are clever, they get a clue. In some cases, a slight slap on the cheek is given to know the facts. In such cases, some people get frightened. Just as in this case, the boy gets frightened and dies and questions are asked here."

SRI S. VEMIAH :—" Sir, I take objection to the statement made by the Hon. Chief Minister that hon. Members have more experience in thefts. I would request the Chair to ask him to withdraw that statement."

THE HON. SRI C. RAJAGOPALACHARI :—" I think something is wrong with the hon. Member in having presumed many things. There was no necessity whatsoever to misunderstand my statement unless indeed one's conscience is guilty." (Laughter.)

SRI V. BALAKRISHNAN :—" May I know whether any compensation or solatium will be paid to the dependants of the deceased person in view of the fact that his death took place under Government auspices?"

THE HON. SRI C. RAJAGOPALACHARI :—" After the distribution of the assets and liabilities, we will consider it, Sir." (Laughter.)

Use of pump-sets in Pugalur channel, Karur taluk.

* 1147 *Q.*—SRI M. KALYANASUNDARAM : Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether any Government Order has been issued regarding the use of pump-sets by some landlords for taking water from Pugalur channel, Karur taluk, Tiruchirappalli district;

(*b*) if so, what are the instructions contained in the Government Order;

(*c*) whether those instructions have been implemented by the concerned district authorities; and

(*d*) the reasons for the delay in case they have not been implemented?

THE HON. SRI N. RANGA REDDI :—" (*a*) Yes.

" (*b*) (1) To remove all unauthorised pumpsets or at least to prevent them from functioning.

(2) To cancel permits for the pumpsets functioning and to put up earthen bunds across the offtake channels leading to the pumpsets from the Pugalur channel, to prevent water from reaching the pumping installations.